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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,320	08/08/2001	Anita Hogans Simpson	BS01-066	1966
38516	7590	01/27/2005	EXAMINER	
SCOTT P. ZIMMERMAN, PLLC			MARTIN, NICHOLAS A	
PO BOX 3822			ART UNIT	
CARY, NC 27519			PAPER NUMBER	

2154

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,320

Applicant(s)

SIMPSON, ANITA HOGANS

Examiner

Nicholas Martin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/14/01 - 3/6/02</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-57 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2, 7-13, 15-18, 20-24, 26-28, 30-37, 39-44, 46-51 and 55-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Lefebvre et al. (hereinafter Lefebvre), US 2002/0046299.
3. As per claim 1, Lefebvre teaches a method for notifying an offline global computer network user of an online interaction in which the offline user could participate, the method comprising the steps of:

specifying notification criteria of the offline user (Paragraphs [0002], [0031], [0038-0039] and [0040]);

monitoring activities occurring on the global computer network (Paragraphs [0007], [0012], [0034-0035]);

comparing the activities to the notification criteria (Paragraphs [0059] and [0065]); and

if the activities satisfy the notification criteria,

forwarding an offline communication to the offline user, wherein the offline communication notifies the offline user of the online interaction (Paragraphs [0039] and [0043]).

4. As per claim 2, Lefebvre teaches the method of claim 1, wherein the online interaction is one of a chat room, a game site, an instant messaging service, and auction, and a call made over the global computer network (Paragraphs [0039] and [0061]).

5. As per claim 7, Lefebvre teaches the method of claim 1, wherein the online interaction is a call over the global computer network and the notification criteria comprise an event in which the offline subscriber receives an unanswered call over the global computer network (Paragraph 0077]).

6. As per claim 8, Lefebvre teaches the method of claim 8, wherein the step of specifying further comprises specifying contact information of the offline user, and the step of forwarding comprises retrieving the contact information of the offline user and

forwarding the communication to the offline user in accordance with the contact information (Paragraphs, [0023], [0038] and [0045]).

7. As per claim 9, Lefebber teaches the method of claim 8, wherein the contact information comprises a communication device type and an address of the communication device (Paragraphs [0022] and [0047]; Page 11, claim 8).

8. As per claim 10, Lefebber teaches the method of claim 8, wherein the contact information comprises a plurality of communication device types of the offline user, addresses for each of the plurality of communication device types, and an order in which to attempt to the plurality of communication device types (Paragraphs [0022], [0047] and [0063]; Page 11, claim 8).

9. As per claim 11, Lefebber teaches the method of claim 1, wherein the step of forwarding the offline communication comprises forwarding the offline communication to one of a wireline telephone, a wireless telephone, a caller identification device, a wireless access protocol device, a one-way pager, and an interactive pager (Paragraphs [0006] and [0020]).

9. As per claim 12, Lefebber teaches the method of claim 1, further comprising the steps of:

receiving an indication from the offline user as to whether the offline user will join the online interaction (Paragraph [0035]); and

reporting the indication to the online users with whom the online interaction would take place (Paragraph [0035]).

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10. As per claim 13, Lefebber teaches the method of claim 12, wherein the step of forwarding the offline communication comprise forwarding the offline communication to one of a wireline telephone and a wireless telephone (Paragraph [0020],

wherein the step of receiving the indication comprises receiving input of the offline user through an interactive voice response unit (Paragraphs [0050] and [0077], and

wherein the step of reporting the indication comprises transmitting the indication to the online users through the global computer network (Paragraphs [0012] and [0038]).

11. As per claim 15, Lefebber teaches the method of claim 13, wherein the step of receiving the indication comprise receiving audio input of the offline user, recording the audio input in a digital audio file, and transmitting the digital audio file through the global computer network to the online users (Paragraph [0077]).

12. As per claim 16, Lefebber teaches the method of claim 12, wherein the step of forwarding the offline communication comprises forwarding the offline communication to one of an interactive pager and a wireless access device (Paragraph [0073]),

wherein the step of receiving the indication comprises receiving input of the offline user from the interactive pager or the wireless access protocol device Paragraph [0076]).

wherein the step of receiving the indication comprises transmitting the indication to the online users through the global computer network (Paragraph [0075]).

13. As per claim 17, Lefeber teaches the method of claim 16, wherein the input comprises one of a standard message and a customized message (Paragraph [0074]; Page 12, claim 33).

14. As per claim 18, Lefeber teaches the method of claim 1, wherein the offline communication states the notification criteria, states that the notification criteria has been satisfied, and states a time and a date that the notification criteria was satisfied (Paragraphs [0031], [0034] and [0047]).

15. As per claim 20, Lefeber teaches a system for providing notification of an online interaction occurring on a global computer network, the system comprising:

- (a) a plurality of network users, wherein the plurality of network users performs activities on a global computer network related to the online interaction (Paragraph [0032]);

- (b) an offline global computer network user (Paragraph [0003]);

- (c) a service provider in communication with the plurality of network users and the offline global computer network user (Paragraphs [0003], [0032] and [0075]);

- wherein the service provider is in communication with the plurality of network users through the global computer network (Paragraph [0075]),

- wherein the service provider has a communication interface through which the service provider is in communication with the offline global computer network user (Paragraph [0075]),

- wherein the service provider is adapted to monitor the activities of the plurality of network users (Paragraphs [0007], [0017] and [0075]),

wherein the service provider is adapted to compare the activities to criteria for notifying the offline global computer network user of the online interaction (Paragraphs [0059], [0065] and [0075]), and

wherein the service provider is adapted to notify the offline global computer network user through the communication interface if the activities satisfy the criteria (Paragraph [0039], [0043] and [0075]).

16. As per claim 21, Lefebvre teaches the system of claim 20, wherein the communication interface is adapted to notify the offline global computer network user through one of a wireline telephone, a wireless telephone, a caller identification device, a wireless access protocol device, a one-way pager, and an interactive pager (Paragraphs [0006] and [0020]).

17. As per claim 22, Lefebvre teaches the system of claim 20, wherein the service provider is adapted to receive a response from the offline global computer network user, and to transmit the response to at least one of the plurality of network users (Paragraph [0035]).

18. As per claim 23, Lefebvre teaches the system of claim 20, wherein the communication interface is adapted to notify the offline global computer network user through one of a wireline telephone and a wireless telephone (Paragraph [0020]),

wherein the communication interface includes an interactive voice response unit with which to receive a response from the offline global computer network user (Paragraphs [0050] and [0077]), and

wherein the service provider is adapted to transmit the response to at least one of the plurality of network users (Paragraphs [0012], [0032] and [0038]).

19. As per claim 24, Lefebber teaches the system of claim 20, wherein the activities comprise at least one of chat room activity, game site activity, instant messaging activity, auction activity, and activity related to calls over the global computer network (Paragraphs [0039] and [0061]).

20. As per claim 26, Lefebber teaches the system of claim 20, further comprising a database accessible to the service provider, wherein the database contains the criteria (Paragraphs [0032-0033] and [0043]).

21. As per claim 27, Lefebber teaches the system of claim 26, wherein the database contains contact information defining how to notify the offline global computer network user (Paragraph [0059]).

22. As per claim 28, Lefebber teaches the system of claim 27, wherein the contact information comprises a communication device type and an address of the communication device (Paragraphs [0022] and [0047]; Page 11, claim 8).

23. Claims 30 and 39 do not teach or define any new limitations above claim 20 and therefore are rejected for similar reasons.

24. Claim 31 does not teach or define any new limitations above claim 26 and therefore is rejected for similar reasons.

25. As per claim 32, Lefebber teaches the system of claim 31, wherein the database contains contact information of the offline global computer network user, and wherein

the site passes the contact information to the service provider (Paragraphs [0032-0033], [0043] and [0059]).

26. As per claim 33, Lefebvre teaches the system of claim 31, further comprising a database accessible to the service provider, wherein the database contains contact information of the offline global computer network user (Paragraph [0059]).

27. Claim 34 does not teach or define any new limitations above claim 21 and therefore is rejected for similar reasons.

28. Claim 35 does not teach or define any new limitations above claim 22 and therefore is rejected for similar reasons.

29. Claim 36 does not teach or define any new limitations above claim 23 and therefore is rejected for similar reasons.

30. Claim 37 does not teach or define any new limitations above claim 24 and therefore is rejected for similar reasons.

31. Claims 40-43 do not teach or define any new limitations above claims 1-2 and therefore are rejected for similar reasons.

32. As per claim 44, Lefebvre teaches the method of claim 42, wherein the global computer network is the Internet (Paragraph [0012]).

33. Claims 46-47 do not teach or define any new limitations above claims 11-12 and therefore are rejected for similar reasons.

34. Claim 48 does not teach or define any new limitations above claim 1 and therefore is rejected for similar reasons.

35. Claims 49-50 do not teach or define any new limitations above claim 11-12 and therefore are rejected for similar reasons.

36. Claim 51 does not teach or define any new limitations above claim 1 and therefore is rejected for similar reasons.

37. As per claim 55, Lefeber teaches a method for notifying an offline global computer network user of a call over a global computer network to the offline user, the method comprising the steps of:

monitoring the global computer network for calls to the network address of the offline user (Paragraphs [0007] and [0017]); and

if a call from a calling party to the network address is unanswered, notify the offline user of the unanswered call via an offline communication (Paragraph 0077)).

38. Claims 56-57 do not teach or define any new limitations above claim 11-12 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

39. Claim 3 is rejected under 103 U.S.C. 103(a) as being unpatentable over Lefeber, in view of Moncreiff, Craig T. (hereinafter Moncreiff), US 2001/0051989.

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40. As per claim 3, Lefebber teaches the method of claim 1, wherein the online interaction is a chat room and the notification criteria comprise at least one of:

an alert/request sent to the user (Paragraph [0039]).

41. Lefebber does not teach the method of claim 1, wherein the online interaction criteria comprises of at least one of:

a number of users logged into the chat room,

a particular user logs into the chat room, and

a request that the offline user log into the chat room.

42. Moncreiff teaches an online interaction criteria comprises of at least one of:

a number of users logged into the chat room (Paragraph [0003]),

a particular user logs into the chat room (Paragraph [0003]), and

a request that the offline user log into the chat room (Paragraph [0012]).

43. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Moncreiff and Lefebber because they both deal with receiving signals pertaining to chat room activities. Furthermore, the teaching of Moncreiff to allow an online interaction criteria comprises of at least one of a number of users logged into the chat room, a particular user logs into the chat room, and a request that the offline user log into the chat room would improve the functionality of Lefebber's system by creating more localized groups for chatting wherein notified offline users are the correct audience for each chat.

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44. Claims 4, 19 and 29 are rejected under 103 U.S.C. 103(a) as being unpatentable over Lefeber, in view of Busch et al. (hereinafter Busch), US 2002/0028708.

45. As per claim 4, Lefeber does not explicitly teach the method of claim 1, wherein the online interaction is a game site and the notification criteria comprise at least one of:

a number of users logged into the game site,

a particular user logs into the game site, and

a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site.

46. Busch teaches an online interaction criteria comprises of at least one of:

a number of users logged into the game site (Paragraph [0095]),

a particular user logs into the game site (Paragraph [0039]), and

a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site (Paragraph [0095]).

47. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Busch and Lefeber because they both deal with receiving signals pertaining to signaling and joining activities. Furthermore, the teaching of Busch to allow an online interaction criteria comprises of at least one of a number of users logged into the game site, a particular user logs into the game site, and a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site would improve the functionality of Lefeber's system by adding the feature of signaling and action initiating of game site activity events to increase its resourcefulness according to electronic content.

48. As per claim 19, Lefebber does not explicitly teach the method of claim 1, further comprising the step of requiring the offline user to provide a passcode before forwarding the offline communication.

49. Busch teaches the method of claim 1, further comprising the step of requiring the offline user to provide a passcode before forwarding the offline communication (Paragraph [0039]).

50. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Busch and Lefebber because they both deal with receiving signals pertaining to signaling and joining activities. Furthermore, the teaching of Busch to allow the step of requiring the offline user to provide a passcode before forwarding the offline communication would improve the functionality of Lefebber's system by improving the security of each activity so that only signaled users could then go online within the network.

51. Claim 29 does not teach or define any new limitations above claim 19 and therefore is rejected for similar reasons.

52. Claim 5 is rejected under 103 U.S.C. 103(a) as being unpatentable over Lefebber, in view of Capps, Stephan P. (hereinafter Capps), US 2002/0111813.

53. As per claim 5, Lefebber teaches the method of claim 1, wherein online interaction is an instant messaging service.

54. Lefebber does not teach the notification criteria comprising an event in which a buddy from a buddy list of the offline user logs onto the instant messaging service.

55. Capps teaches the notification criteria comprising an event in which a buddy from a buddy list of the offline user logs onto the instant messaging service (Paragraph [0022]).

56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Capps and Lefebber because they both deal with providing communication of instant messaging services. Furthermore, the teaching of Capps to allow the notification criteria comprising an event in which a buddy from a buddy list of the offline user logs onto the instant messaging service would improve the functionality of Lefebber's system by utilizing the feature of a buddy/member list to signal activity on a network.

57. Claims 6 and 52-54 are rejected under 103 U.S.C. 103(a) as being unpatentable over Lefebber, in view of Scott et al. (hereinafter Scott), US 2004/0073507.

58. As per claim 6, Lefebber teaches the method of claim 1, wherein the online interaction is an auction site and the notification criteria comprise:

entry of a bid that exceeds a high bid submitted by the offline user (Paragraphs [0061], [0066] and [0071-0072]).

59. Lefebber does not teach the method of claim 1, wherein the online interaction is an auction site and the notification criteria comprise:

a number of bids submitted within a certain duration.

60. Scott teaches a method of claim 1, wherein the online interaction is an auction site and the notification criteria comprise:

a number of bids submitted within a certain duration (Paragraph [0088]).

61. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Scott and Lefebvre because they both deal with auction services' signaling of activity. Furthermore, the teaching of Scott to allow wherein the online interaction is an auction site and the notification criteria comprise a number of bids submitted within a certain duration would improve the functionality of Lefebvre's system by creating a time period as to which bidding could take place and therefore increasing efficiency as to when filtering by an external source can occur.

62. Claim 52 and 54 do not teach or define any new limitations above claim 6 and therefore are rejected for similar reasons.

63. Claim 53 does not teach or define any new limitations above claims 6 and 12 and therefore is rejected for similar reasons.

64. Claim 14 is rejected under 103 U.S.C. 103(a) as being unpatentable over Lefebvre, in view of Adams, Jeffery B. (hereinafter Adams), US 2002/0124100.

65. As per claim 14, Lefebvre teaches the method of claim 13, wherein the step of receiving the indication comprises receiving audio input (Paragraph [0059]).

66. Lefebvre does not teach the step of converting the audio input to text for transmission through the computer network.

67. Adams teaches the step of converting the audio input to text for transmission through the computer network (Paragraph [0181]).

68. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Adams and Lefebvre because they both deal with access and delivery of multimedia information. Furthermore, the teaching of Adams to teach the step of converting the audio input to text for transmission through the computer network would improve the functionality of Lefebvre's system by advocating the ease of spontaneous connections and speeding access to web content by a user.

69. Claims 25 and 38 do not teach or define any new limitations above claims 3-6 and therefore are rejected for similar reasons.

70. Claim 45 does not teach or define any new limitations above claims 3-4 and therefore is rejected for similar reasons.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "System And Method For Notifying An Offline Global Computer Network User Of An Online Interaction".

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|------|-----------------|---------------------|
| i. | US 6,606,744 | Mikurak, Michael G. |
| ii. | US 2002/0001307 | Nguyen et al. |
| iii. | US 6,615,166 | Guheen et al. |

A shortened statutory period for reply to this Office action is set to expire in THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Martin whose telephone number is (571) 272-3970. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3970.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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